

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

AARON HARDEN,

Defendant.  
----- X

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:  
: CONSENT PRELIMINARY ORDER  
: OF FORFEITURE/  
: MONEY JUDGMENT  
:  
: 20 Cr. 529 (LAK)

WHEREAS, on or about October 6, 2020, AARON HARDEN (the "Defendant"), was charged in a five-count Indictment, 20 Cr. 529 (LAK) (the "Indictment"), with narcotics trafficking, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and Title 18, United States Code, Section 2 (Counts One through Five);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Five of the Indictment, seeking forfeiture to the United States, pursuant to Title 21, United States Code, Section 853, of any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offenses charged in Counts One through Five of the Indictment and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offenses charged in Counts One through Five of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Five of the Indictment;

WHEREAS, on or about March 18, 2021, the Defendant pled guilty to Counts One through Five, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts One through Five of the Indictment and agreed to forfeit, pursuant to Title 21, United States Code, Section 853, a sum of money equal to

\$714.00 in United States currency, representing proceeds traceable to the commission of the offenses charged in Counts One through Five of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$714.00 in United States currency representing the amount of proceeds traceable to the offenses charged in Counts One through Five of the Indictment that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offenses charged in Counts One through Five of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Audrey Strauss, United States Attorney, Assistant United States Attorney, Rebecca T. Dell of counsel, and the Defendant, and his counsel, Amy Gallicchio, Esq., that:

1. As a result of the offenses charged in Counts One through Five of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$714.00 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offenses charged in Counts One through Five of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, AARON HARDEN, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to United States Customs and Border Protection, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. Upon entry of this Consent Preliminary Order of Forfeiture/Money Judgment, and pursuant to Title 21, United States Code, Section 853, United States Customs and Border Protection, or its designee the Office of Fines, Penalties, and Forfeiture shall be authorized to deposit the payment on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

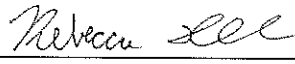
8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander

J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

AUDREY STRAUSS  
United States Attorney for the  
Southern District of New York

By:  3/5/2021  
REBECCA T. DELL  
Assistant United States Attorney  
One St. Andrew's Plaza  
New York, NY 10007  
(212)637-2198  
DATE

AARON HARDEN

By: /s/ Aaron Harden by Amy Gallicchio, Esq. 3/5/2021  
AARON HARDEN  
DATE

By: /s/ Amy Gallicchio 3/5/2021  
AMY GALLICCHIO, ESQ.  
Attorney for Defendant  
Federal Defenders of New York  
52 Duane Street  
New York, NY 10007  
DATE

SO ORDERED:

  
HONORABLE LEWIS A. KAPLAN  
UNITED STATES DISTRICT JUDGE

9/14/21  
DATE